

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

ANDREW JOEY DELGADO,

Plaintiff,

v.

No. CV 15-676 WJ/CG

NEW MEXICO DEPARTMENT OF  
CORRECTIONS, et al.,

Defendants.

**ORDER ADOPTING CHIEF MAGISTRATE JUDGE'S  
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

**THIS MATTER** is before the Court on the Chief Magistrate Judge's *Proposed Findings and Recommended Disposition* (the "PFRD"), (Doc. 98), filed August 29, 2018. In the PFRD, the Chief Magistrate Judge recommended that Plaintiff's *Motion to Suspend Summary Judgment*, (Doc. 79), be denied, Defendants' *Martinez Report and Motion for Summary Judgment*, (Doc. 65), be granted, and Plaintiff's *Prisoner's 1st Amended Civil Rights Complaint*, (Doc. 19), be dismissed with prejudice. (Doc. 98). The parties were notified that written objections to the PFRD were due within fourteen days. *Id.* No objections have been filed and the deadline of September 12, 2018 has passed. The recommendations of the Chief Magistrate Judge are therefore adopted by this Court.

**IT IS THEREFORE ORDERED** that Plaintiff's *Motion to Suspend Summary Judgment*, (Doc. 79), is **DENIED**, Defendants' *Martinez Report and Motion for Summary Judgment*, (Doc. 65), is **GRANTED**, and Plaintiff's *Prisoner's 1st Amended Civil Rights Complaint*, (Doc. 19), is **DISMISSED WITH PREJUDICE**.



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THE HONORABLE WILLIAM P. JOHNSON  
CHIEF UNITED STATES DISTRICT JUDGE